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GEO. E. FALLAQUIST,
CLERK
SPOKANE COUNTY, WASH.

IN AND FOR THE COUNTY OF SPOKANE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
CITY OF SPOKANE, a municipal
corporation,

Petitioner,

vs.

JUDGMENT AND DECREE
OF APPROPRIATION

THE CONTINENTAL COAL COMPANY,
a corporation; SEATTLE-FIRST
NATIONAL BANK, as Trustee under
the Will of J. A. RYCZEK; JAMES N.
BROOKS, whose wife is MAY BRITT
BROOKS; A. F. PEIRCE, whose wife
is MAURINE J. PEIRCE; JERRINE
BROOKS MAY, whose husband is
C. E. MAY; R. J. BRANDVOLD,
whose wife is ROSEMARY BRANDVOLD;
MURIEL BROOKS, a widow; THOMAS A.
HELSEBY, whose wife is DOROTHY
HELSEBY; THEO EGAN, whose husband
is RICHARD EGAN; and the Estate of
Z. O. BROOKS, deceased; and all
other parties unknown claiming
any interest herein,
Defendants.

This matter having come on regularly before the Court on the
petition of the City of Spokane for a determination of the amount
of just compensation to be paid for the taking of the lands, real
estate, certain fixtures and premises described in the above-
mentioned petition; the Petitioner appearing by and through its
Corporation Counsel, RICHARD F. WRENN, and Assistant Corporation
Counsel, JAMES C. SLOANE;
And the Court being satisfied that all parties interested in
the lands, real estate and premises described in the Petition of
the Petitioner on file herein, have appeared in this action, said
parties having appeared before the Court by and through their
attorney, PAUL J. ALLISON;
And the Court being further satisfied that the contemplated
use for which said land, real estate and premises are sought to be

JUDGMENT AND DECREE
OF APPROPRIATION

RICHARD F. WRENN
Corporation Counsel
501 City Hall
Spokane, WA 99201
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EXECUTION / 00 PAGE / 95

1 appropriated is really a public use, specifically the development
2 of a public park, and the Court having heretofore made and entered
3 in this action its order adjudicating public use and necessity for
4 this taking;

5 And this cause of action having come on duly and regularly for
6 trial on the 5th day of March, 1973, before the above-entitled
7 Court sitting without a jury, a jury having been waived, and the
8 Court having heard and duly considered the evidence offered on
9 behalf of Petitioner and Defendants concerning the lands, real
10 estate, premises and other property sought to be appropriated and
11 used by the said Petitioner for the aforementioned purposes;

12 NOW, THEREFORE, in accordance with the Findings of Fact and
13 Conclusions of Law heretofore entered and the Court being fully
14 advised,

15 IT IS ORDERED, ADJUDGED AND DECREED that TWO HUNDRED TWENTY-
16 SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS (\$227,500.00) is the
17 total amount of just compensation, ~~including all costs, fees and~~
18 ~~expenses~~ provided for by law for the appropriation and use by the
19 Petitioner of the following described lands, real estate, premises
20 and other property being acquired herein from said Defendants in
21 the City of Spokane, County of Spokane, State of Washington, to-wit:
22 An irregular tract of land located in the Northwest
23 Quarter of the Southeast Quarter and the Southwest
24 Quarter of the Northeast Quarter of Section 18, Town-
25 ship 25 North, Range 43 East, W.M., in the City of
26 Spokane, Spokane County, Washington, described as
27 follows:

28 Beginning at the intersection of the east and west
29 center line of said Section 18, with the west line
30 of Washington Street; running thence North 2°19' east
31 along the west line of Washington Street to a point
32 which lies 20 feet north of the east and west center line
33 of said section; thence north 89°39' west along a
line parallel to and 20 feet distant from said center
line approximately 360.22 feet to a point on the north-
easterly boundary of the right of way of the old St.
Paul, Minneapolis and Manitoba Railway; thence along
the Northeasterly boundary of said right of way in a
Southeasterly direction approximately 420.6 feet to
its intersection with the west line of Washington
Street; thence north 16°23' east along the west line

JUDGMENT AND DECREE
OF APPROPRIATION

1 of Washington Street 65 feet, more or less; thence
2 continuing along said West line of Washington Street
3 north 2°19' east 171.9 feet to the place of beginning.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon payment
5 to the Defendants or into the Registry of the above-entitled
6 Court of the sum of TWO HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED
7 & NO/100 DOLLARS (\$227,500.00), together with Defendants' costs
8 taxed in the sum of \$16.00, less the amount due from the Defendant
9 for general taxes, the Petitioner, City of Spokane, a municipal
10 corporation of the State of Washington, shall be and become the
11 owner in fee simple of the lands hereinabove described, and shall
12 be entitled to enter into possession of and at all times there-
13 after use and possess the land included within the above descripti
14 along with those fixtures being appropriated by Petitioner, and
15 that such payment shall be in full for the taking, condemnation
16 and appropriation and use of the same.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon payment
18 of the said award and judgment into the Registry of the above
19 entitled Court and payment of all general taxes due on the subject
20 property, the Clerk is hereby ordered and directed to satisfy said
21 judgment and to hold such sum of money for distribution subject
22 to further order of the Court.

23 DONE IN OPEN COURT this 29 day of March, 1973.

24 J U D G E

25 Presented by:

26 James C. Sloane
27 JAMES C. SLOANE
28 Assistant Corporation Counsel
29 Of Counsel for Petitioner

30 Approved as to Form and Notice
31 of Presentation Waived this
32 day of March, 1973.

33 Ray J. Allison
34 RAY J. ALLISON
35 Of Counsel for Defendants

JUDGMENT AND DECREE
OF APPROPRIATION